

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jerome Curry, and Betty Ann Brown,

Plaintiffs,

v.

Charleston County Police Department;
Charleston County Probation and Parole; and
Officer Clayton Mood,

Defendants.

C/A No. 0:10-522-HFF-PJG

ORDER

The plaintiffs have filed this action, *pro se*, seeking relief pursuant to 42 U.S.C. § 1983, alleging violations of their constitutional rights by the named defendants. The defendants filed a motion for summary judgment on November 15, 2010, pursuant to the Federal Rules of Civil Procedure. (ECF No. 68.) As the plaintiffs are proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on November 16, 2010, advising the plaintiffs of the importance of a motion for summary judgment and of the need for them to file an adequate response. (ECF No. 69.) The plaintiffs were specifically advised that if they failed to respond adequately, the defendants' motion may be granted, thereby ending their case.

Notwithstanding the specific warning and instructions set forth in the court's Roseboro order, the plaintiffs have failed to respond to the motion. As such, it appears to the court that they do not oppose the motion and wish to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiffs shall advise the court as to whether they wish to continue with this case and to file a response to the defendants' motion for summary judgment within fourteen (14) days from the date of this order. The plaintiffs are further advised that if they fail to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

January 3, 2011
Columbia, South Carolina